

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

JAMAAL ALI BILAL,

Plaintiff,

v.

Case No: 2:14-cv-422-SPC-MRM

GEO CARE, LLC, FNU GARZA,
THE ESTATE OF FNU JARVIS,
THE GEO GROUP, INC.,
CORRECT CARE SOLUTIONS,
LLC, DONALD SAWYER,
REBECCA JACKSON and
CRAIG BELOFF,

Defendants.

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OPINION AND ORDER¹

Plaintiff Jamaal Ali Bilal filed this civil rights case in 2014 while detained at the Florida Civil Commitment Center (FCCC). The Court granted Bilal leave to proceed *in forma pauperis* and ordered Bilal to complete service forms. Bilal provided the address of Beloff's presumed place of employment—the FCCC—for service of process. Magistrate Judge Mac R. McCoy directed a special appointee to serve Beloff, but the documents were returned unserved

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because Beloff no longer worked at FCCC. Judge McCoy ordered Bilal to provide a current service address for Beloff. (Doc. 96). Bilal was unable to do so. (Doc. 105). So Judge McCoy ordered Geo Care, LLC—Beloff’s alleged current or former employer—to provide Beloff’s last known address. (Doc. 106). Geo Care complied. (Doc. 107). The Court mailed service documents to Beloff at the address provided, but they were returned as undeliverable and marked as “Unable to Forward.”

Under Rule 4(m), a district court “must dismiss the action without prejudice...or order that service be made within a specific time” if the defendant has not been served within 120 days of filing the complaint. Fed. R. Civ. P. 4(m). A court must extend the time for service if the plaintiff shows “good cause” for the failure. *Id.*

For litigants proceeding *in forma pauperis*, “[t]he officers of the court shall issue and serve all process.” 28 U.S.C. § 1915(d). But this case cannot linger on the Court’s docket indefinitely. The Court is responsible for seeing that its limited resources are allocated so it promotes the effective and efficient administration of the judicial system. The Court has exhausted reasonable efforts to serve Beloff, and Bilal has not shown good cause to extend the time for service under Rule 4(m). The Court will thus dismiss Bilal’s claim against Beloff without prejudice. See *Brown v. Davis*, 656 F. App’x 920, 921 (11th Cir. 2016) (affirming dismissal because the *in forma pauperis* plaintiff provided the


wrong address for a defendant and did not attempt to remedy service). If Bilal discovers a current address for Beloff, he may move to rename him as a defendant.

Accordingly, it is now

ORDERED:

Bilal's claims against Beloff are **DISMISSED without prejudice**. The Clerk is **DIRECTED** to remove him as a party to this case.

DONE and **ORDERED** in Fort Myers, Florida on June 21, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record